

## Message Text

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72

ACTION EUR-25

INFO OCT-01 NEA-10 ADP-00 CIAE-00 PM-09 INR-10 L-03

NSAE-00 PA-03 RSC-01 PRS-01 GAC-01 USIA-12 TRSE-00

MBFR-03 SAJ-01 SS-15 SCI-06 EPA-04 NSF-04 HEW-08

DOTE-00 INT-08 HUD-02 DODE-00 CEQ-02 EB-11 IO-12

NSC-10 COME-00 OMB-01 RSR-01 /164 W

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 855

INFO USMISSION NATO

AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

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AMEMBASSY LUXEMBOURG

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY ROME

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E. O. 11652: N/ A

TAGS: SENV, NATO

SUBJECT: CCMS: APRIL 1973 PLENARY -- US- CANADIAN

INTERNATIONAL JOINT COMMISSION AND RHINE COMMISSION

PRESENTATIONS AT PUBLIC SESSION, APRIL 10

1. SUMMARY: FOLLOWING OPENING PUBLIC SESSION, IJC  
COMMISSIONERS ROBICHAUD ( CANADA) AND HERTER ( U. S.)  
MADE DETAILED PRESENTATION ON IJC. PRESIDENT OF  
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RHINE COMMISSION VIGIVENO ( NETHERLANDS) MADE  
PRESENTATION ON HIS ORGANIZATION. END SUMMARY.

2. INTERNATIONAL JOINT COMMISSION:

A. CANADIAN COMMISSIONER ROBICHAUD NOTED LENGTH  
OF BOUNDARY (5,000 MILES) BETWEEN U. S. AND CANADA  
ENCOMPASSING FOR ALMOST HALF ITS LENGTH MANY RIVERS  
AND LAKES WHICH CROSS FRONTIER. COMPETING CLAIMS  
FOR USE OF THESE WATERS CREATED NUMEROUS DISPUTES AND  
LED TO SIGNING OF 1909 BOUNDARY WATERS TREATY, AND  
CREATION OF IJC. ROBICHAUD STATED IJC WAS UNIQUE  
ORGANIZATION WHEN CREATED AND REMAINS SUCH. HE NOTED  
IJC FLEXIBILITY AND FACT THAT COMMISSION MEMBERS SEEK  
SOLUTIONS TO PROBLEMS, NOT AS REPRESENTATIVES OF  
RESPECTIVE GOVERNMENTS BUT RATHER AS SINGLE BODY  
ACTING IN A NON- NATIONAL MANNER. DECISIONS OF IJC  
ARE NOT BINDING ON GOVERNMENTS, BUT IN VAST MAJORITY  
OF CASES IJC RECOMMENDATIONS HAVE BEEN ACCEPTED AND  
IMPLEMENTED. ROBICHAUD NOTED PRINCIPAL PROVISIONS OF  
BOUNDARY TREATY DEALING WITH IJC AUTHORITY WITH RESPECT  
TO TRANSBOUNDARY POLLUTION AND OBSTRUCTION OR DIVERSION  
OF BOUNDARY WATERS. ROBICHAUD ALSO NOTED THAT GREAT  
LAKES WATER QUALITY AGREEMENT SIGNED BY PRESIDENT NIXON  
AND PRIME MINISTER TRUDEAU IN 1972 WAS BASED ON IJC  
REPORT. IJC HAS INVESTIGATED AND REPORTED ON SUCH  
DIVERSE ITEMS AS REGULATION OF GREAT LAKES WATER  
LEVELS PRESERVATION AND ENHANCEMENT OF BEAUTY OF  
NIAGARA FALLS, AND ATMOSPHERIC POLLUTION OF BOUNDARY AREAS.

B. U. S. COMMISSIONER HERTER SAID GREAT LAKES  
WATER QUALITY AGREEMENT MAY PROVIDE AN EXAMPLE OF  
BENEFIT TO EUROPEAN COLLEAGUES. NOTING THE SIZE OF  
THE GREAT LAKES COMPARED TO MANY EUROPEAN COUNTRIES,  
HE COMMENTED ON THEIR USE AS A MAJOR WATERWAY,  
RECREATION AREA, AND INDUSTRIALIZED REGION.  
INDUSTRIALIZATION HAS RESULTED IN INCREASED AMOUNTS  
OF INDUSTRIAL WASTES WHICH HAVE EXCEEDED THE ABSORPTIVE  
CAPACITY OF THE LOWER GREAT LAKES. THE IJC STUDY OF  
THE POLLUTION OF THE LAKES BEGAN IN 1964 AND IN  
DECEMBER 1970 THE FINAL REPORT WAS GIVEN TO THE  
TWO GOVERNMENTS. THE REPORT CONCLUDED THAT  
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(1) THE WATERS OF THE LOWER GREAT LAKES WERE BEING

SERIOUSLY POLLUTED ON BOTH SIDES OF THE BOUNDARY TO THE DETRIMENT OF BOTH COUNTRIES; (2) WATER POLLUTION EXTENDED THROUGHOUT THE GREAT LAKES BUT MOST TRANSBOUNDARY POLLUTION ORIGINATED IN THE U. S.; AND (3) LAKE ERIE WAS IN AN ADVANCED STATE OF EUTROPHICATION AND URGENT MEASURES WERE REQUIRED TO ARREST THIS PROCESS.

C. THE GREAT LAKES AGREEMENT, WHICH STEMS LARGELY FROM IJC STUDY, SETS OUT A SERIES OF GENERAL AND SPECIFIC WATER QUALITY OBJECTIVES FOR THE GREAT LAKES. THE FOLLOWING PROGRAM ( U. S. ESTIMATED COST \$2 BILLION; CANADIAN COST \$250 MILLION) IS TO BE IMPLEMENTED BY END OF 1975; (1) COMPLETION OR NEAR COMPLETION OF MUNICIPAL WASTE WATER TREATMENT FACILITIES IN CITIES DISCHARGING INTO THE GREAT LAKES SYSTEM; (2) INSTALLATION OF PHOSPHOROUS REMOVAL FACILITIES AT MUNICIPAL SEWAGE TREATMENT PLANTS IN THE LOWER GREAT LAKES AND AS REQUIRED IN THE UPPER GREAT LAKES; (3) INDUSTRIES AROUND THE GREAT LAKES MUST CONSTRUCT AND OPERATE WASTE TREATMENT FACILITIES DESIGNED TO MEET WATER QUALITY OBJECTIVES; (4) STRENGTHENING OF REGULATIONS CONTROLLING THE DISCHARGE OF GARBAGE AND SEWAGE FROM VESSELS IS REQUIRED; (5) IN ADDITION, A SERIES OF STUDIES AND PROGRAMS ARE BEING UNDERTAKEN TO REDUCE THE RISK OF SHIPPING ACCIDENTS AS WELL AS SPILLS FROM ON- SHORE FACILITIES.

D. BECAUSE OF THE CONFIDENCE OF THE TWO GOVERNMENTS IN THE IJC, IT HAS BEEN CALLED ON TO MAKE RECOMMENDATIONS REGARDING OTHER MATTERS BEYOND THE SCOPE OF THE BOUNDARY WATERS TREATY ( E. G. ROSS DAM ON SKAGIT RIVER AND POINT ROBERTS PENINSULA).

### 3. RHINE RIVER COMMISSION:

A. AMB VIGIVENO ( NETHERLANDS) SPOKE ON THIS SUBJECT AS CHAIRMAN OF THE RHINE RIVER COMMISSION. HE NOTED THAT THE PROBLEM OF INFLUX OF SUB- SURFACE SEA WATER INTO THE NETHERLANDS IS COUNTERED BY THE INFLUX OF FRESH WATER COMING PRINCIPALLY FROM THE RHINE. AT THE PRESENT TIME MORE SALT IS ENTERING  
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THE NETHERLANDS FROM THE RHINE THAN FROM THE SEA. THE COMMISSION IS CHARGED WITH DEALING WITH CHEMICAL POLLUTION OF THE RHINE IN ALL ITS ASPECTS AS WELL AS THERMAL POLLUTION. PROGRESS HAS BEEN SLOW BECAUSE OF (1) THE DIFFICULTY OF KEEPING UP WITH

THE PACE OF INDUSTRIAL DEVELOPMENT; (2) THE VARYING INTEREST OF RIPARIAN STATES DEPENDING ON WHETHER OR NOT THEY ARE AFFECTED BY THE RHINE'S POLLUTION; AND (3) DIFFICULTIES OF REACHING SOLUTIONS TO PROBLEMS INVOLVING SEVERAL COUNTRIES.

B. RECENTLY THERE HAS BEEN MORE PROGRESS DUE TO PRESSURE OF PUBLIC OPINION AND THE FACT THAT GOVERNMENTS HAVE BEGUN TO RECOGNIZE THAT THEY CANNOT RECEIVE SUPPORT IN COMBATTING POLLUTION IN AREAS WHICH CONCERN THEM IF THEY DO NOT COOPERATE IN MATTERS OF CONCERN TO OTHER COUNTRIES. AMB VIGIVENO WAS OPTIMISTIC THAT IN THE NEXT FEW YEARS THE QUALITY OF WATER IN THE RHINE WOULD IMPROVE.  
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ATHENS  
BONN  
BRUSSELS  
COPENHAGEN  
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NATO  
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THE HAGUE

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